

The Mysore



Gazette

PUBLISHED BY

AUTHORITY

(EXTRAORDINARY)

PART IV—2-C (ii)

BANGALORE, MONDAY, APRIL 12, 1965
(CHAITRA 22, SAKA ERA 1887).

No. 89

PUBLIC HEALTH, LABOUR AND MUNICIPAL
ADMINISTRATION SECRETARIAT

NOTIFICATION

Bangalore, dated 12th April 1965.

S. O. 2208.—In exercise of the powers conferred by Section 4 of the Mysore Town and Country Planning Act, 1961 (Mysore Act No. 11 of 1963), read with rules 3 and 4 of the Mysore State Town Planning Board Rules, 1964, the Government of Mysore hereby constitutes a Board by the name of the State Town Planning Board and appoints the following persons as members, with effect from 12th April 1965:

Ex-Officio Members

- | | | | |
|---|--|-----|---------------|
| 1 | The Minister in charge of Town and Country Planning | ... | Chairman |
| 2 | The Deputy Minister in charge of Town and Country Planning | ... | Vice-Chairman |
| 3 | The Secretary to the Government of Mysore, Public Health, Labour and Municipal Administration Department | ... | Member |
| 4 | The Secretary to the Government of Mysore, Planning, Housing and Social Welfare Department | ... | Member |

- | | | | |
|---|--|-----|--------------|
| 5 | The Director of Public Health in Mysore | ... | Member |
| 6 | The Chief Engineer in charge of Irrigation and Public Health Engineering | ... | Member |
| 7 | The Chairman of the Mysore State Housing Board | ... | Member |
| 8 | The Director of Town Planning | ... | Member-Secy. |

Other Members

- | | |
|----|--|
| 9 | The Mayor, Bangalore City Corporation |
| 10 | The Mayor, Hubli-Dharwar Corporation. |
| 11 | The President, City Municipal Council, Mysore. |
| 12 | The President, City Municipal Council, Gulbarga. |
| 13 | The President, City Municipal Council, Mangalore. |
| 14 | Shri R. L. Raju,
Retired Chief Engineer,
76, Ranga Rao, Road, Bangalore-4. |
| 15 | Shri S. Muninanjappa,
Retired IAS.,
153, V Cross, Gandhinagar, Bangalore-9 |
| 16 | Dr. S. Seshagiri Rao,
Retired Director of Public Health, Bangalore. |

[No. PLM 89 MNP 64.]

By Order and in the name of the Governor of Mysore,

N. S. RAMACHANDRA, *Secy.*

(10) The prescribed Officer shall after making an order under sub-section (2) of section 82-B, forward the applications within two days of their disposal to the Land Development Bank concerned. The Land Development Bank may appoint an enquiry Officer (hereinafter in this Chapter referred to as "the Enquiry Officer") to enquire into the applications. The Enquiry Officer shall make inquiry by actually visiting the land in which the improvement is proposed to be effected and the lands and other property offered as security. He shall, after such inquiry, forward a report in the form prescribed by a regulation made by the State Land Development Bank.

(11) The Enquiry Officer may make such other enquiries as may be necessary and shall value the lands according to such formula as may be laid down by the State Land Development Bank, with the approval of the Registrar, from time to time, estimate the repaying capacity of the applicant and examine the feasibility and utility of the proposed improvement. He shall then submit his report stating what amount of loan may be granted to the applicant against what security and for what purpose and the period within which it may be recovered from him.

(12) After completion of the enquiry, the application together with his reports shall be submitted by the Enquiry Officer to the Land Development Bank together with the Certificate regarding outstanding Government dues and the certificates specified by the State Land Development Bank.

(13) On receipt of the report of the Enquiry Officer under sub-rule (12), the Land Development Bank shall satisfy itself that the inquiry has been properly conducted. If there are any deficiencies, the Bank shall get them completed immediately.

(14) The Land Development Bank may then undertake further scrutiny as may be necessary and pass final orders.

(15) In the case of rejection of applications for loans, the reasons therefor shall be communicated by the Bank to the applicant. When the loan has been sanctioned, the Bank shall lay down the terms and conditions regarding grant of the loan, regarding payment of instalments, submission of report on the progress of improvement of land and release of subsequent instalments. The applicant shall be required to be present at the head office or branch office of the Bank on a date to be fixed for execution of the mortgage deed and for receiving the amount of loan or the first instalment thereof.

(16) The applicant, while receiving the amount of the loan or the first instalment of the loan, shall purchase shares of the Bank to such extent as may be required under the byelaws of the Bank. The Land Development Bank shall issue receipt to the applicant giving full particulars of the amount paid by him from time to time.

49-B. Registration of Mortgage or lease under section 85-A.—Copies of instruments referred to in section 85-A, duly certified by the Secretary of the Land Development Bank, shall be sent by the Land Development Bank to the Registering Officer concerned within a period of three months from the date of execution of the instruments, by registered post or by delivery in person.

49-C. Submission of report for confirmation of sale under section 89-A.—(1) The report referred to in subsections (1) and (2) of sections 89-A, shall contain, amongst other details, the following particulars:—

(a) a brief account of the circumstances which rendered the sale necessary;

(b) full details showing how, the provisions of subsection (2) of section 89 have been complied with;

(c) full details showing how the procedure for holding the sale of immovable property has been followed;

(d) name of the Sale Officer;

- (e) place of sale ;
- (f) date of sale ;
- (g) description of property sold ;
- (h) name of purchaser and his address ;
- (i) value realised ;
- (j) cost of sale ; and
- (k) date of receipt of purchase money from the purchaser.

(2) The State Land Development Bank or the Registrar may call for any clarification deemed necessary from the Land Development Bank and satisfy itself or himself that the sale has properly been conducted and the Land Development Bank shall furnish the same forthwith. The Registrar may call for any clarification from the State Land Development Bank for the same purpose and such clarification shall be furnished forthwith by the State Land Development Bank.

49-D. Certificate of purchase.—The certificate to be granted by Land Development Bank under sub-section (1) of section 89-C shall be in Form V."

7. Insertion of new Forms III, IV, and V.—After Form II of the said rules, the following Forms shall be inserted, namely :—

FORM III

(See Rule 38-A)

Certificate for Transfer of property under Section 101-B.

WHEREAS in execution of the award or order or awards or orders passed under Section 71 or an order or orders made by a Liquidator under Section 74 of the Mysore Co-operative Societies Act, 1959, in favour of the society, an order was made on day of 19 .. for sale of the under mentioned property of the person or persons (debtor or debtors):

And whereas the Court/The Deputy Commissioner/the Registrar is satisfied that the said property cannot be sold for want of buyers:

It is hereby ordered under Section 101-B of the said Act that the right, title and interest of the debtor in the said property shall vest in the said society and shall be delivered to the society subject to the terms and conditions laid down in the schedule hereto annexed.

DESCRIPTION OF THE PROPERTY

Survey Number	Area and Assessment	Nature of right title and interest of the defaulter	Details of encumbrances to which property is subject
1	2	3	4

SCHEDULE

The said property is transferred to the society in full/partial satisfaction of the amount due to it from the debtor.

Given under my hand and seal of the Court/Deputy Commissioner/Registrar this day of 196 ..

*Court/Deputy Commissioner/
Registrar of Co-operative Societies.*

FORM IV

(See Rule 49-A)

Public Notice under Rule 49-A.

Whereas Shri resident of
 has applied for loan for the purpose of
 (specify purpose) a purpose mentioned
 in Section 76-A of the Mysore Co-operative Societies Act, 1959, from
 the

 Land Development Bank Ltd., ... and has
 proposed to offer as a security for the loan, the land mentioned
 below—

Land in which improvement is proposed to be effected :—

Name of Village	Survey Number	Assessment
-----------------	---------------	------------

Lands proposed to be offered as Security :—

Name of Villages	Survey Number	Assessment
------------------	---------------	------------

.....

Notice is hereby given that objections, if any, to the grant of
 Loan from all persons interested will be heard by the undersigned
 at O'Clock on 19
 at

Any person wishing to submit any objection should appear in
 person at the above mentioned time and place before the undersigned
 together with any documents he wants to produce in support of his
 objections.

It is hereby notified for the information of all persons interested that according to the provisions of Section 82-C of the Mysore Co-operative Societies Act, 1959, a written order by the Land Development Bank or persons or committees authorised under the bye-laws of the Bank to make loans for all or any of the purposes specified in Section 76-A granting either before or after the commencement of the Mysore Co-operative Societies (Amendment) Act, 1964, a loan to or with the consent of person mentioned therein, for the purpose of carrying out the work specified therein for the benefit of the land or for the productive purpose mentioned therein, shall for purposes of the Mysore Co-operative Societies Act, 1959, be conclusive of the following matters, that is to say,

(a) that the work described or the purpose for which the loan is granted, is an improvement or productive purpose, as the case may be, within the meaning of Section 76-A ;

(b) that the person had at the date of the order a right to make such improvement or incur expenditure for the productive purpose, as the case may be ; and

(c) that the improvement is one benefiting the land specified and productive purpose concerns the land offered in security, or any part thereof as may be relevant.

If any persons interested, fail to appear as stated, as required by this notice, the question at issue will be decided in their absence and such persons will have no claim whatsoever against the property for which the loan applied for, will be sanctioned till such time as the loan together with interest thereon or any other dues arising out of the loan are paid in full by the loanee.

Dated this day of 19....

(Signed)

Designation of the officer.

Copy forwarded with compliments to the Village Accountant and the Land Development Bank Ltd., ... with a request to affix this notice at the village chavadi and head office and relevant branch office of the Bank immediately and inform the undersigned accordingly by

FORM V

(See Rule 49-D)

*Certificate to be granted to the purchaser of the property under
Section 89-C (1) of the Mysore Co-operative Societies Act, 1959.*

This is to certify that the following property :—

Serial No.	Survey Number	Boundaries	Village	Taluk	District	Name of the mortgagor who held the land
1	2	3	4	5	6	7
1						

10

has been sold to at in
public auction of the property held under Section 89 of the Mysore
Co-operative Societies Act, 1959, on for

Rs. and the said has been declared to be the purchaser of the said property at the time of the sale. The sale price of the said property was received on by the Land Development Bank, Limited The sale was confirmed under Section of the Act and became absolute on

(Signature).....
 Secretary/Manager,
 Land Development Bank, Limited."

[DPC 34 CBA—64]

By Order and in the name of the Governor of Mysore,

S. RAMANATHAN, *Secy.*